

**Notice of Allowability**

Application No.

10/642,921

Examiner

Yaritza Guadalupe McCall

Applicant(s)

KIRSTINE, RODNEY L.

Art Unit

2859

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed March 3, 2006.
2. ☒ The allowed claim(s) is/are 1-44.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
Yaritza Guadalupe-McCall

## **DETAILED ACTION**

In response to amendment filed March 3, 2006

### ***Reasons for Allowance***

1. The following is an examiner's statement of reasons for allowance:
  - a. Claims 1 – 16 are allowable over the Prior Art of Record because it fails to teach or suggest an apparatus for determining at least one dimensional value of a substantially planar substrate comprising a first linear measuring device including a first movable caliper finger disposed on one side of the plane for measuring a first linear distance from a common zero point location to the first surface of the substrate along an axis substantially normal to the first and second surfaces; the first movable caliper finger movable in a linear direction substantially normal to the plane; a second linear measuring device including a second movable caliper finger disposed on an opposing side of the plane for measuring a second linear distance from the common zero point location to the second surface of the substrate along the axis generally normal to the first and second surfaces, the second movable caliper finger being coaxial with the first movable caliper finger and movable in a linear direction substantially normal to the plane. the common zero point location being a location of the end of the first linear measuring device wherein the end of the first linear measuring device is in axial contact with an end of the

second linear measuring device in combination with the remaining limitations of the claims.

b. Claims 17 – 31 are allowable over the Prior Art of Record because it fails to teach or suggest an apparatus for determining at least one dimensional value of a substantially planar substrate comprising a first contact member on the terminal end of the first caliper finger; and a second contact member on the terminal end of the second caliper finger; wherein the at least one complementary set of linear measuring devices is configured to define a common zero point location at a location of mutual contact between contact members of the first and second coaxial, opposing, movable caliper fingers, to provide a corresponding zero point value as a linear distance for each movable caliper finger, and to provide displacement values for each movable caliper finger when displaced away from the common zero point location in combination with the remaining limitations of the claims.

c. Claims 32 – 44 are allowable over the Prior Art of Record because it fails to teach or suggest a method for determining at least one dimensional value of a substantially planar substrate comprising the steps of establishing a common zero point location in or immediately adjacent the plane from which first and second linear distances perpendicular to the plane may be measured; placing the substantially planar substrate parallel to the plane and with the common zero point location located within the substantially planar substrate; measuring the first linear distance from the common zero

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point location to the first substantially planar side of the substantially planar substrate in at least one location along the substantially planar substrate; and measuring the second linear distance from the common zero point location to the second, opposing, substantially planar side of the substantially planar substrate in the least one location along the substantially planar substrate in combination with the remaining limitations of the claims.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***


2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yaritza Guadalupe McCall whose telephone number is (571)272-2244. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F.F. Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YGM  
March 17, 2006



Yaritza Guadalupe-McCall  
Patent Examiner  
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